

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application and for courtesies extended during the Examiner Interview.

Interview Summary

A telephonic interview was conducted on February 9, 2009 with Examiner J. Mendoza and SPE A. Koenig. Applicants have reviewed the Interview Summary issued on February 12, 2009 and agree with its contents.

Disposition of Claims

Claims 1, 3-19, and 21-39 were pending in the application. Claims 16, 17, 28, and 29 are cancelled by this reply without prejudice or disclaimer. Claims 1, 19, 30, and 39 are independent. The remaining claims depend, directly or indirectly, from claims, 1, 19, and 30.

Claim Amendments

Independent claims 1, 18, 19, 30, 38, and 39 are amended by this reply to clarify aspects of the invention, and to recite the subject matter (or a portion thereof) of canceled claims 16, 17, 28, and 29. Further, claim 4 is amended by this reply to depend from claim 3. Additionally, claims 3, 6, 14, 15, and 22-27 are amended by this reply to address minor issues of antecedent basis. Support for these amendments may be found, for example, in the originally filed claims as well as

paragraphs [0021] and [0059] in the originally filed Specification. No new matter has been added by any of the aforementioned amendments.

Claim Objections

Claims 17 and 29 stand objected to because of informalities. *See* Office Action dated December 24, 2008 (“Office Action”). Specifically, claims 17 and 29 are objected to because they depend from canceled claims 2 and 20, respectively. *See Id.* Claims 17 and 29 are cancelled by this reply. Accordingly, this objection is now moot with respect to claims 17 and 29, and withdrawal of these claim objections is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1, 3-7, 9, 10, 12, 13, 15, 30, 33, 35-37, and 39

Claims 1, 3-7, 9, 10, 12, 13, 15, 30, 33, 35-37, and 39 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent Application Publication No. US 2004/0128508 (“Wheeler”) in view of U.S. Patent No. 4,502,609 (“Christatos”), and further in view of U.S. Patent No. 7,111,318 (“Vitale”). To the extent this rejection applies to the pending claims, the rejection is respectfully traversed.

MPEP § 2143 states that “[t]he key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit.” Further, when combining prior art elements to establish a *prima facie* case of obviousness, the Examiner “must articulate the following: (1) a finding that the prior art included

each element claimed, although not necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference....” MPEP § 2143(A).

Applicant has amended independent claims 1, 30, and 39 to recite, in part, the limitations (or portion thereof) of dependent claims 16 and 17, namely powering components of a cable distribution box using current obtained from a coaxial cable line. The Examiner has admitted that Wheeler, Christatos, and Vitale fail to teach or suggest the aforementioned limitations of claims 16 and 17, and instead has relied on U.S. Patent Application Publication No. US 2004/0071382 (“Rich”) to teach the aforementioned limitations. *See* Office Action, p. 20. Further, in the Interview Summary issued on February 12, 2009, the Examiner has admitted that the aforementioned limitations appear to overcome Rich. Therefore, on this basis alone, amended independent claims 1, 30, and 39 are patentable over Rich. However, in the interest of furthering prosecution, Applicant presents the following additional argument to assert that the aforementioned claims are patentable over Rich.

Rich is directed to a “fiber optic security sensor cable” incorporating a fiber optic cable and a power cable combined in a single jacket. *See, e.g.,* Rich, *Abstract*; Fig. 2. However, Applicant submits that the sensor cable of Rich clearly does not teach or suggest a coaxial cable line, as required by amended claim 1. Moreover, assuming, *arguendo*, that the combination line of Rich teaches a coaxial cable line, Rich fails to also teach that the sensor cable is used to solely power components of a cable distribution box, as required by amended claims 1, 30, and 39.

Based on the above, Applicant submits that Rich clearly fails to teach or suggest the limitations of amended independent claims 1, 30, and 39. Therefore, amended independent claims 1, 30, and 39 are patentable over Wheeler, Christatos, Vitale, and Rich, either alone or in combination. Additionally, claims depending from amended independent claims 1, 30, and 39 are also patentable for at least the same reasons. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 19, 21-23, and 25-26

Claims 19, 21-23, and 25-26 stand rejected under 35 U.S.C. § 103 as being unpatentable over Wheeler and Christatos. To the extent that this rejection applies to the amended claims, the rejection is traversed.

Independent claim 19 is amended by this reply to recite, at least, the limitations (or portion thereof) of dependent claims 16 and 17. As discussed above with reference to amended independent claims 1, 30, and 39, the Examiner has admitted that the aforementioned limitations appear to overcome Wheeler, Christatos, Vitale, and Rich. Additionally, as also discussed above with reference to amended independent claims 1, 30, and 39, Wheeler, Christatos, Vitale, and Rich, whether considered separately or in combination, fail to teach or suggest the aforementioned limitations. Accordingly, independent claim 19 is patentable over Wheeler and Christatos for at least the same reasons as amended independent claims 1, 30, and 39. Further, dependent claims 21-23 and 25-26 are patentable over Wheeler and Christatos for at least the same reasons as amended independent claim 19. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 8

Claim 8 stands rejected under 35 U.S.C. § 103 as being unpatentable over Wheeler, Christatos, Vitale, and U.S. Patent No. 6,472,973 (“Harold”). To the extent that this rejection applies to the amended claims, the rejection is traversed.

As discussed above, Wheeler, Christatos, and Vitale fail to teach or suggest all the limitations of amended independent claim 1. Further, Harold does not teach or suggest that which Wheeler, Christatos, and Vitale lack, as evidenced by the fact that the Examiner only relies on Harold to teach “functionality to disable the access card.” *See* Office Action, p. 14.

In view of the above, Wheeler, Christatos, Vitale, and Harold, whether considered separately or in combination, teach or suggest all the limitations of amended independent claim 1. Accordingly, amended independent claim 1 is patentable over Wheeler, Christatos, Vitale, and Harold. Dependent claim 8 is patentable over Wheeler, Christatos, Vitale, and Harold for at least the same reasons as amended independent claim 1. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 11, 24, 31, and 32

Claims 11, 24, 31, and 32 stand rejected under 35 U.S.C. § 103 as being unpatentable over Wheeler, Christatos, Vitale, and U.S. Patent Application Publication No. US 2002/0147982 (“Naidoo”). To the extent that this rejection applies to the amended claims, the rejection is traversed.

As discussed above, Wheeler, Christatos, and Vitale fail to teach or suggest all the limitations of amended independent claim 1. Further, Naidoo does not teach or suggest that which

Wheeler, Christatos, and Vitale lack, as evidenced by the fact that Naidoo is only relied upon to teach sending alerts and monitoring the cable distribution box. See Office Action, pp. 15-17.

In view of the above, Wheeler, Christatos, Vitale, and Naidoo, whether considered separately or in combination, teach or suggest all the limitations of amended independent claim 1. Accordingly, amended independent claim 1 is patentable over Wheeler, Christatos, Vitale, and Naidoo. Amended independent claims 19 and 30 include at least the same patentable limitations as amended independent claim 1 and, accordingly, are also patentable over Wheeler, Christatos, Vitale, and Naidoo. Dependent claims 11, 24, 31, and 32 are patentable over Wheeler, Christatos, Vitale, and Naidoo for at least the same reasons as the aforementioned amended independent claims. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 14, 27, and 34

Claims 14, 27, and 34 stand rejected under 35 U.S.C. § 103 as being unpatentable over Wheeler, Christatos, Vitale, and U.S. Patent Application Publication No. US 2004/0050930 (“Rowe”). To the extent that this rejection applies to the amended claims, the rejection is traversed.

As discussed above, Wheeler, Christatos, and Vitale fail to teach or suggest all the limitations of amended independent claim 1. Further, Rowe does not teach or suggest that which Wheeler, Christatos, and Vitale lack, as evidenced by the fact that Rowe is only relied upon to teach encrypted communication. See Office Action, pp. 18-19.

In view of the above, Wheeler, Christatos, Vitale, and Rowe, whether considered separately or in combination, teach or suggest all the limitations of amended independent claim 1. Accordingly, amended independent claim 1 is patentable over Wheeler, Christatos, Vitale, and

Rowe. Amended independent claims 19 and 30 include at least the same patentable limitations as amended independent claim 1 and, accordingly, are patentable over Wheeler, Christatos, Vitale, and Rowe. Dependent claims 14, 27, and 34 are patentable over Wheeler, Christatos, Vitale, and Rowe for at least the same reasons as the aforementioned amended independent claims. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 16, 17, 18, 28, 29, and 38

Claims 16, 17, 18, 28, 29, and 38 stand rejected under 35 U.S.C. § 103 as being unpatentable over Wheeler, Christatos, Vitale, and U.S. Patent Application Publication No. US 2004/0071382 (“Rich”). Claims 16, 17, 28, and 29 are cancelled by this reply. Accordingly, this rejection is now moot with respect to the cancelled claims. To the extent that this rejection applies to claims 18 and 38, the rejection is traversed.

As discussed above, Wheeler, Christatos, Vitale, and Rich fail to teach or suggest all the limitations of amended independent claim 1. Accordingly, amended independent claim 1 is patentable over Wheeler, Christatos, Vitale, and Rich. Amended independent claim 30 includes at least the same patentable limitations as amended independent claim 1 and, accordingly, is also patentable over Wheeler, Christatos, Vitale, and Rich. Dependent claims 18 and 38 are patentable over Wheeler, Christatos, Vitale, and Rich for at least the same reasons as the aforementioned amended independent claims. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 17065/004001).

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Respectfully submitted,

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